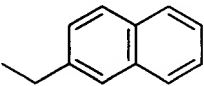
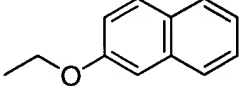
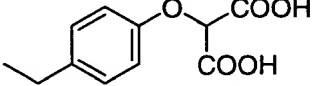


REMARKS

In response to a Restriction Requirement in the parent U.S. Patent application No. 08/743,944 (now U.S. Patent No. 5,734,054, issued March 31, 1998), the present U.S. Patent application No. 08/986,545 was filed as a divisional application directed solely to subject matter described and originally claimed in the parent application, per 35 U.S.C. §121.

Claims 1-12 were pending. Claims 4,5,6,8,10,11 and 12 are canceled herein, without prejudice. Claims 1,3 and 9 are amended herein. Therefore, claims 1,2,3,7 and 9 are pending in the present application.

Support for the amendment to the specification is found in the specification at page 13, line 12. Independent claim 1 and dependent claims 3 and 9 have been amended to more clearly define the present invention directed to compounds of Formula I where Y is -Aa-C(O)R⁴ and R⁴ is chosen from the group consisting of alkyl, aryl, substituted alkyl, cycloalkyl, substituted cycloalkyl,

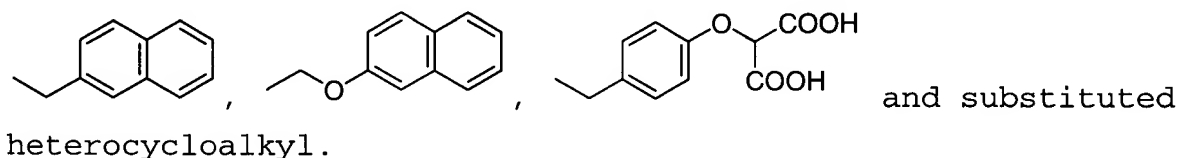
heterocycloalkyl, ,  ,  ,  and substituted heterocycloalkyl.

Support for the amendments to claim 1 is found in the specification at page 5, lines 9-12 and page 6, line 4. Support for the amendment to claims 3 and 9 is found in the specification at page 13, line 12. No new matter has been added.

I. Double Patenting Rejection

Claims 1-12 are rejected under the judicially created doctrine of double patenting over claims 1-7 of the parent application.

In response to the Restriction Requirement in the parent application, applicants elected claims 1-2 and 4-12 (in part) in that application, drawn to compounds of Formula I where Y is R⁵ and R⁵ is piperazine. In contrast, in the present divisional application as now amended, claims are drawn to compounds of Formula I where Y is Aa-C(O)R⁴ where R⁴ is chosen from the group consisting of alkyl, aryl, substituted alkyl, cycloalkyl, substituted cycloalkyl, heterocycloalkyl,



Thus, the claims of the present divisional application are drawn to an invention separate and distinct from the claimed invention of the afore-mentioned "parent" patent. Therefore, applicants respectfully request withdrawal of the double patenting rejection.

II. 35 U.S.C. §102(e) Rejection

Claims 1-12 are rejected under 35 U.S.C. § 102(e) as being anticipated by the "parent" patent. However, the present application was properly filed as a divisional in response to a Restriction Requirement in the parent application. Thus, the rejection under § 102(e) is inapposite. See 35 U.S.C. § 121.

III. Correction of Inventorship

At the time of filing the instant application, both the instant application and the "parent" were assigned to a common assignee and the original inventors were the same.

The Amendment of the present divisional application results in cancellation of claims such that less than all of the originally named inventors are the actual inventors of the invention now claimed. Accompanying this Amendment is a Petition, and a fee therefor under 37 CFR § 1.48(b), requesting the deletion of these inventors.

The present application is now believed to be in condition for allowance, and a favorable action is respectfully requested.

Respectfully submitted,

Date: *July 20, 1998*

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